IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 375 OF 2006

IN

REVIEW PETITION (L) NO. 74 OF 2006

IN

WRIT PETITION NO. 1727 OF 2005

Jaidev .. Petitioner

V/s

Union of India & Ors. .. Respondents

Mr.Ramesh Ramamurthy for the Petitioner.

Mr.R.R. Shetty with Mr.D.A. Dube for the Respondents.

CORAM : H.L. GOKHALE &
S.C. DHARMADHIKARI, JJ.

DATE : 25TH JULY 2006

P.C. :

1. Heard Mr.Ramamurthy in support of this motion. Mr.Shetty appears for the Respondents.

2. Motion seeks condonation of delay of 485 days in filing the Review Petition. An explanation is given that for the reliefs, which are now sought, a motion was taken out being Notice of Motion No.570 of 2005. After that motion was moved, it was placed before another

Division Bench which took the view that the said motion was not maintainable and it would be better that the Petitioner moves a Review Petition. Accordingly, the present motion has been taken out. This is the explanation for delay. Mr.Shetty opposes the motion by submitting that in any case the Petitioner ought to have moved the application within time and the explanation being given should not be accepted.

3. We have noted the submissions of both the counsel. Though there is some force in the submission of Mr.Shetty, with a view not to cause any prejudice to the submission of the Petitioner, we grant this motion in terms of prayer (a). Delay is condoned. Review Petition be numbered. Motion stands disposed of.

(H.L. GOKHALE, J.)

(S.C. DHARMADHIKARI, J.)